

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

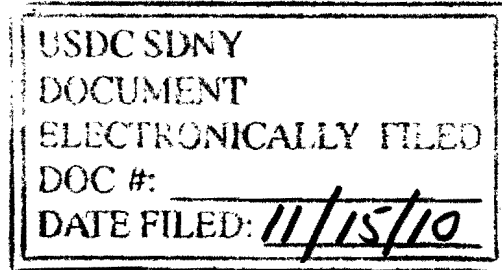
ELIZABETH COMBIER,

Plaintiff,

- against -

THE STATE OF NEW YORK, et al.,

Defendants.



1:09-cv-05314 (RJH)(FM)

**ORDER**

Richard J. Holwell, District Judge:

Plaintiff Elizabeth Combiel moves pursuant to Local Rule 6.3 for reconsideration of the Court's Memorandum Opinion and Order dated September 30, 2010 [108]. In that Order, the Court adopted the Report and Recommendation of Magistrate Judge Frank Maas [97] and dismissed plaintiff's claims in their entirety along with plaintiff's motions for default judgment, [77], sanctions, [81], and recusal [31].

"A request for reconsideration under Rule 6.3...must demonstrate controlling law or factual matters put before the court in its decision on the underlying matter that the movant believes the court overlooked and that might reasonably be expected to alter the conclusion reached by the court." *Hinds County, Miss. v. Wachovia Bank N.A.*, 708 F.Supp.2d 348, 369 (S.D.N.Y. 2010). "The major grounds justifying reconsideration are an intervening change in controlling law, the availability of new evidence, or the need to correct a clear error or prevent

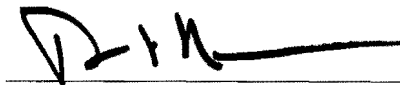
manifest injustice.” *Virgin Atl. Airways, Ltd. v. Nat’l Mediation Bd.*, 956 F.2d 1245, 1255 (2d Cir.1992) (quotation marks omitted).

Plaintiff’s motion for reconsideration demonstrates none of these grounds. Rather, Plaintiff merely repeats the arguments she made below in objecting to Magistrate Judge Maas’s Report and Recommendation. “A court should deny a motion for reconsideration when the movant ‘seeks solely to relitigate an issue already decided.’” *Henderson v. Metro. Bank & Trust Co.*, 502 F.Supp.2d 372, 376 (S.D.N.Y. 2007) (quoting *Shrader v. CSX Transp. Inc.*, 70 F.3d 255, 257 (2d Cir.1995)).

Accordingly, Plaintiff’s motion for reconsideration [111] is hereby DENIED.

SO ORDERED.

Dated: New York, New York  
November 8, 2010

A handwritten signature in black ink, appearing to read "R. J. Holwell", written over a horizontal line.

Richard J. Holwell  
United States District Judge